

**CONSTITUTION
OF
THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
HISPANIC EMPLOYEE ORGANIZATION (HHS-HEO)
Adopted February 23, 1981; as amended June 4, 1997 and March 8, 2000.**

PREAMBLE

The United States Department of Health and Human Services (HHS) has a mandate to provide equal services, resources, and opportunities to all United States citizens in the areas of health, health assistance, education and family support and to ensure that the full spectrum of its programs benefits all Americans.

Hispanics in the United States. Hispanics (a term used interchangeably with Latinos) are the fastest growing segment of the customer base that is eligible to be served by HHS programs. At almost 27 million in 1995, the Latino population is projected to increase to 31 million by the year 2000. Hispanics are predominantly young and ethnically diverse, and 87 percent are geographically concentrated in ten states throughout the United States. Most Latinos (62 percent) are multi-generation Americans, or have ancestors that predate the Nation's birth; others are recent arrivals to the United States ("Hispanic--Latinos: Diverse People in a Multicultural Society, A SPECIAL REPORT," National Association of Hispanic Publications with the U.S. Census Bureau 1995 Population Reports).

HHS Programs and Latino Customer Service. HHS policy development, proposed regulations, programs, research, and service areas (such as public health, social services, family assistance, Medicare and Medicaid, and training programs) must include input and participation from both Hispanic customers and staff in order to ensure that they are culturally competent and that Latinos equitably receive HHS services, resources, and opportunities. There is concern that Hispanic customers are also not accessing the HHS services because they are not culturally responsive or effective. Hispanic staff must be considered as a valuable professional resource to the Department, and viewed as effective primary links for customer outreach and the provision of services. It is well documented that Hispanics remain the only globally-underrepresented group, with severe underrepresentation of Latinos at all levels of the HHS workforce, particularly at the Senior Executive Level (SES) and other policy-making levels (DHHS Hispanic Agenda for Action, 1996).

Thus the DHHS, in order to optimally serve its Latino customers, needs to substantially increase the numbers of Hispanic staff at all levels of the workforce and advisory structure. HHS employees with Hispanic cultural competencies and linguistic skills, whether Hispanic or non-Hispanic, need to be part of policy and program decisions to ensure that the all HHS customer programs and services are made available to Hispanics. This will become increasingly

important as HHS begins the implementation of the Government Performance and Results Act (GPRA) in order to meet outcome and accountability requirements.

THE HHS Hispanic Employee Organization (HHS-HEO). The HHS-HEO was formed in 1981 and has served as an independent resource, analyst, facilitator, and advocate for the U.S. ethnic Hispanic populations, and for the Hispanic employees in the Department, to the HHS leadership and its operational components on important Departmental issues that affect Latinos. These issues include hiring, promotions, career development, other employee concerns, health research, regulatory policies, disease prevention, family support, social services, health insurance, language and cultural barriers, access to training, access to and participation in services, civil rights concerns, and other relevant areas. The HHS-HEO is organized along democratic principles and is open to all persons, both Hispanic and non-Hispanic, who support its mission, purpose and objectives, as described below.

ARTICLE I. NAME OF THE ORGANIZATION

The name of this organization shall be " The Department of Health and Human Services Hispanic Employee Organization (DHHS-HEO or HHS-HEO)."

ARTICLE II. HHS-HEO MISSION, PURPOSE AND OBJECTIVES

The HHS-HEO is constituted as an independent, non-profit employee organization by Hispanic employees of the U.S. Department of Health and Human Services. The HHS-HEO was established in 1981, and has been sanctioned by the Secretary, DHHS, as an employee organization, with all of the entitlements and responsibilities of any employee organization sanctioned by DHHS.

The HHS-HEO mission is to work to ensure that the DHHS fulfills its mission by addressing the needs of its U.S. Hispanic customers:

- (1) in the Department=s goals and policies, regulatory, research, education, public health, social service, communications, and other programs;
- (2) in the Department=s Hispanic employee representation at all grade levels and types of positions; and
- (3) in the Department=s relationships with national and community Hispanic customer service organizations.

The HHS-HEO's purpose is to accomplish its mission by serving as an independent resource, analyst, facilitator, spokesperson, advocate and consultant, representing the needs of the U.S. Hispanic community and DHHS Hispanic employees to the Secretary, DHHS.

The HHS-HEO's objectives are:

- ! to articulate a clear organizational vision to effectively carry out the HHS-HEO mission;
- ! to increase each DHHS Hispanic employee's awareness of and participation in Departmental programs and goals;
- ! to provide a forum for discussion and information exchange about issues of Hispanic concern both nationally and within DHHS;
- ! to improve the opportunities and quality of the DHHS workplace for the DHHS Hispanic employees;
- ! to promote and support recruitment, hiring, retention, training and promotion of Hispanics;
- ! to make recommendations to the Secretary, DHHS, HHS leaders and components, to address opportunities, gaps and problems in the Department's Hispanic employment, policies, and programs;
- ! to ensure that the customer service of each DHHS Agency, whether it is education, clinical research, regulation, social services, public health or policy, includes and fully meets the safety, cultural, linguistic and other needs of the Department=s Hispanic customer base;
- ! to strengthen the cultural competency of the Department to identify, locate, engage and meet the needs of the Department=s nationwide Hispanic customer base;
- ! to participate on DHHS working groups, advisory committees, and other relevant activities, representing Hispanic employees and concerns; and to sponsor workshops, forums, and other scientific and/or education events in support of its mission, and encourage agencies to support employees to attend these training activities.

ARTICLE III. MEMBERSHIP

A. Regular Membership

Regular membership in the HHS-HEO is open to all persons who work at the DHHS. Regular membership will be granted to any person who works at DHHS, endorses the HHS-HEO's mission, purpose and objectives and pays dues as established by the Executive Board. All regular members of the various Hispanic Employee Organizations throughout the Department can join the HHS-HEO by paying dues as established by the Executive Board. Regular members

have the right to vote and hold elective office within HHS-HEO.

B. Associate and Honorary Memberships

Associate membership is open to all persons who endorse the HHS-HEO's mission, purpose and objectives, and who wish to participate in its activities, including the mailing list or electronic mail communication system, but who do not work at the HHS. Representatives of national and community Hispanic organizations may also be associate members. Associate members may participate in HHS-HEO activities, including ad hoc committees, working groups, and scientific and educational activities. The Executive Board may also seek their input on specific referenda topics.

Associate membership is conferred by payment of dues as established by the Executive Board. Associate members do not have the right to vote or hold elective office within the HHS-HEO.

Nominations for Honorary membership may be made by the HHS-HEO General Assembly or Executive Board, and approved by the Executive Board. Honorary members are not entitled to vote on HHS-HEO business or to hold HHS-HEO elected or leadership positions.

C. Authorizations and Responsibilities of HHS-HEO Membership.

HHS-HEO members are authorized as federal employees to utilize federal worksite locations and resources in fulfillment of HHS-HEO activities, provided that:

- ! The activity is related to the federal and Hispanic employee mission, purposes and objectives as set forth in the HHS-HEO constitution;
- ! The activity does not interrupt the normal functioning of any federal worksite location;
- ! HHS-HEO members must follow the operations and procedures that are normally utilized in the pertinent work location;
- ! The participation in HHS-HEO activities is in addition to and does not substitute or conflict with usual primary worksite duties and responsibilities.

HHS-HEO members must note that, in the fulfillment of their HHS-HEO responsibilities, they are subject to all regulations that apply to the legal and ethical conduct of federal employees when interacting with federal and non-federal participants in the use of federal facilities and resources.

ARTICLE IV. ORGANIZATION OF HHS-HEO

The HHS-HEO includes all affiliated DHHS Hispanic Employee Organizations, which are

represented on the Executive Board.

The policies of the HHS-HEO are determined by the General Assembly and carried out by an Executive Board. HHS-HEO meetings will be conducted according to Roberts Rules of Order.

A. The General Assembly

The General Assembly, consisting of the regular voting membership of HHS-HEO, is the principal governing body of HHS-HEO. It approves, by a majority vote of a quorum of members, all policies and decisions related to the mission, purpose and objectives of the organization, and to the administration of HHS-HEO. A quorum for the General Assembly meeting is ten percent of the regular voting membership. Regular voting members are to count toward the quorum if they participate in person, by absentee ballot, by telephone conference call, or as otherwise defined by the Executive Board.

Meetings of the General Assembly are called not less than two weeks before the chosen meeting date. There shall be an annual general assembly meeting to present the candidates for election to the Executive Board as well as present an annual report on HHS-HEO activities. Other meetings may be called by the Executive Board as necessary to deal with organization, policy and administration activities. These meetings shall be announced by the HHS-HEO Secretary or other designated person.

Regular members may vote in absentia through written proxy held by any attending member in good standing. Regular members may also vote using mail, electronic mail, or fax to the Secretary or other designated person, or as otherwise defined by the Executive Board.

B. The Executive Board

The HHS-HEO Executive Board consists of the President, President-Elect, Secretary, Treasurer, the immediate Past President, the Presidents (or designated representative) of each affiliated Hispanic Employee Organization within DHHS, and up to three at-large Executive Board members, representing other HHS components, including the Office of the Secretary, DHHS. The Executive Board, by majority vote, may appoint individuals to fill vacancies on the Executive Board until the next election.

The Executive Board formulates short and long-term policies and plans as necessary to carry out the mission, purpose and objectives of the HHS-HEO. The Executive Board regularly informs the General Membership of new organizational developments, activities, procedures & policies.

The Executive Board meets at least monthly. Regular monthly meetings will be called and conducted by the President or President-Elect. Board members may participate by conference call or as otherwise designated by the Executive Board. A quorum will consist of a majority of the full Board or five (5) members, whichever is greater. Decisions are made by majority vote of

Board members present. Any two members of the Executive Board may call for a special Board meeting not less than one week before the chosen date.

The Executive Board establishes dues and ensures that periodic financial audits of the HHS-HEO are conducted. The HHS-HEO is obligated to use all collected monies exclusively for the support of the HHS-HEO mission, purpose and objectives; no part of the monies received by the HHS-HEO shall be directed to the benefit of any private individual or non-HHS-HEO activity.

The Executive Board reviews and approves collaborative activities with other Hispanic organizations.

The Executive Board will ensure that an effective communications system is maintained.

The Executive Board may conduct an open referendum on specific issues of interest, as needed. Such a referendum will be considered advisory to the Executive Board.

The HHS-HEO President and Executive Board will provide for a continuing dialog with the DHHS leadership that will work toward including semi-annual meetings with the DHHS Secretary or Deputy Secretary, the Assistant Secretaries, and other top DHHS administrators to determine progress and outcomes of DHHS activities as they affect the needs of its Hispanic customers.

C. Standing Committees.

Standing committees of HHS-HEO are established by a majority vote of the full Executive Board to carry out the activities of permanent HEO functions. The Chairpersons are appointed by the President and confirmed by a majority vote of the full Executive Board. The other members of the committees are selected from volunteer members or designated by the President or Chair of the committee; confirmation by the Board is not required.

An Elections Committee, consisting of at least two members of the Executive Board and at least two members of the General Assembly, will establish election procedures, prepare a list of candidates for elective office for presentation to the General Assembly, conduct fair and open elections, and certify the election results. The election will take place annually for a designated period to be determined by the Executive Board, and any ballots received after the closing date will not be counted. The results of the election must be certified within two weeks of the closing date of the election. Elected officers will begin their term at the next meeting of the Executive Board following certification of the election results.

D. Special Committees

Special (ad hoc) committees may be established by the Executive Board to satisfy temporary

needs of the organization. Appointments to special committees will follow the same procedures for standing committees.

E. Affiliated Hispanic Employee Organizations within DHHS.

An affiliated DHHS Hispanic Employee Organization is any DHHS Hispanic employee organization that: has been formally organized with a constitution or charter; holds elections; supports the mission, purpose and objectives of the HHS-HEO; has requested to become an affiliated organization; and has been approved by the HHS-HEO Executive Board.

The HHS-HEO includes all affiliated DHHS Hispanic Employee Organizations. Each affiliated HEO is represented on the HHS-HEO Executive Board by its President or designated representative, who are also regular members.

ARTICLE V: OFFICERS AND EXECUTIVE BOARD MEMBERS

The officers (President, President-Elect, Secretary, Treasurer) and up to three at large Executive Board members are elected directly by the General Assembly.

Terms will be as follows.

An individual will be elected to a term that consists of one year as President-Elect, followed by one year as President, and followed by one year as immediate Past-President. A new President-Elect will be elected annually.

The Secretary will be elected for a one year term.

The Treasurer will be elected for a two-year term.

Up to three at-large Executive Board Members will each serve for a term of two years. At-large members may be chosen to represent components of DHHS not otherwise covered by affiliated HEOs. Terms will be staggered so that not all at-large members are elected every year. All other HHS-HEO Executive Board members are those designated representatives of affiliated Hispanic employee organizations throughout the Department. They represent their organizations and membership.

The Executive Board, by majority vote, may appoint individuals to fill vacancies that may arise until the next election.

Duties of officers not otherwise noted include:

President: Calls and conducts meetings of the General Assembly and Executive Board. Votes only to break a tie vote of the Executive Board.

President-Elect: Assumes the duties of the President at that person's designation, due to absence from the area or temporary incapacitation. After the President serves one year, the President-Elect automatically becomes President after a new President-Elect is elected at the annual elections.

Secretary: Maintains record of organization communications and business and ensures timely communications between HEO and members, of organizational business and activities relevant to its mission, purpose and objectives.

Treasurer: Collects dues, maintains financial records and other organization accounting, and advises the Executive Board and membership on financial status. Advises membership on financial support available for HHS-HEO functions from HHS and private sector or other sources as indicated. The Executive Board will ensure that periodic financial audits of the HHS-HEO are conducted.

At-large Executive Board Members. Responsible for representing and facilitating communications between HHS-HEO and its members from across the nation.

ARTICLE VI: AMENDMENTS

Proposals for amendments to this Constitution will be submitted in writing to the General Assembly for vote, following prior presentation to the Executive Board. Proposals may be initiated by the Executive Board or by a group of not less than ten percent (10%) of the voting members.

Proposed amendments must be approved by at least two-thirds of regular voting members in attendance, or participating by absentee ballot, by telephone conference call, or as otherwise defined by the Executive Board.

Adopted February 23, 1981 and amended June 4, 1997 and March 8, 2000.